IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

Bail Appl..No. 597 of 2007()

.....
CRIME NO.19/07 OF THIRURANGADI POLICE STATION.

: PETITIONER/ACCUSED

A.P.ABDUL GAFOOR, S/O. MAMMED,
AMBALAPATTA HOUSE, KUNNUMPURAM,
A.R.NAGAR, TIRURANGADI TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.SUDHEER

RESPONDENT: STATE

STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE CIRCLE INSPECTOR
OF POLICE, TIRURANGADI, MALAPPURAM DISTRICT.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.597 OF 2007

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DATED THIS THE 2nd DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the accused in Crime No.19/07 of Thirurangadi Police Station for an offence punishable under section 376 IPC on an allegation of rape committed by him on his brother's wife aged 30 years on 6.1.2007, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate having jurisdiction on the same day. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 7.2.2007 and 9.2.2007 for the purpose of interrogation. The petitioner shall thereafter be produced before the Magistrate concerned on the same day. The Magistrate shall consider the application, if any, filed by the petitioner for bail, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn